

REMARKS

Claims 32-39 are in the application.

The claims have been amended to more particularly point out and distinctly claim applicants' invention. Claims 1-15 and 29-31 have been cancelled and the subject matter thereof has been incorporated in new claim 32-39. Claims 16-28 were previously cancelled. These amendments are fully supported by the application as filed, and present no new matter.

A request for continuing examination (RCE) accompanies this amendment to permit the Examiner to review the new claims *de novo*.

The Examiner has maintained his objection to claim 30. However, claim 30 has been cancelled in favor of new claims 32-39. Applicant respectfully requests reconsideration and withdrawal of object as applicable to the amended claims for this reason.

Claims 1, 2, 14, 29 and 30 stand finally rejected under 35 U.S.C. 102(e) as being unpatentable over U.S. Patent 6,643,681 ("Saito"). This rejection is respectfully traversed, and reconsideration and withdrawal of the rejection are respectfully requested as applicable to the amended claims.

Saito discloses a method of generating a network community by way of transmission of messages on similar subjects and topics by the users. Based on messages having subject matter on similar topics and subjects, the network community is automatically and spontaneously generated. Therefore, a potential user scans the various topics and subjects being discussed before transmitting a message on the interested subject or topic and becoming a part of the network community (column 2 lines 41 to 57).

Applicant's presently claimed method is not identically disclosed by Saito, and therefor not anticipated thereby. In Applicant's method, including new members is based on the set of indications of last new members added to the group. The set of indications is a list of other participating persons that a participating person wishes to meet. (cf. sub clauses (b), (d)(i) and (d)(ii) of new claim 32). Thus, the presently claimed method of group formation is not disclosed in Saito. Moreover, a person skilled in the art will not be taught, suggested or motivated to arrive at the claimed invention by Saito. Consequently, Saito does not make out a *prima facie* case of either anticipation or obviousness, and reconsideration and withdrawal of this rejection as applicable to the amended claims are respectfully requested for this reason.

Claim 3 stands finally rejected under 35 U.S.C. 103(a) as being unpatentable over Saito, in view of U.S. Patent Publication 2003/0208727 AI ("Mortensen"). This rejection is also respectfully traversed, and reconsideration and withdrawal of the rejection are respectfully requested as applicable to the amended claims.

Mortensen discloses a method, apparatus and a computer-readable medium enabling a computer to perform grouping failed paths of an integrated circuit design into failed path sets. The failing paths are initially in a list. Paths most likely to fail based on the determined most likely to fail node pattern are placed in a failing path set (cf. Paragraph 0019).

In contrast, in the Applicant's method, including new persons to the group is based on the set of indications of last new members of the group. (cf. sub clauses (d)(i) and (d)(ii) of claim 36). This is unlike the teachings in Mortensen where filling the failing path set is based on analytical determination based on probability of failure of a node pattern. Therefore, the methodology of including new members to the group is not

taught by Mortensen. In fact, the reference has nothing to do with persons desired to be brought together as a group. Accordingly, the reference is actually a non-analogous art. Further, the combination of Saito and Mortensen adds nothing to what either reference would disclose or suggest to one of ordinary skill in the art. Consequently, the combination of Saito and Mortensen does not make out a *prima facie* case of obviousness of claim 3, and reconsideration and withdrawal of the rejection entered under 35 U.S.C. 103(a) over the combination of Saito and Mortensen as applicable to the amended claims are respectfully requested.

Claims 4, 7, 13, and 31 stand finally rejected under 35 U.S.C. 103(a) as being unpatentable over Saito, in view of U.S. Patent Publication 2003/0167344 AI ("Danso"). This rejection is also respectfully traversed, and reconsideration and withdrawal of the rejection are respectfully requested as applicable to the amended claims.

Danso discloses a method for first forming a parent pyramidal structure formed of a multiplicity of validated elementary communication networks, each itself having a pyramidal structure formed from a collection of nodes, and then forming an exchange and communications protocol to permit each node to communicate with other nodes both below and above in the pyramidal structure. However, while Dansco describes the structure of his network, there is no disclosure or suggestion of what criteria should be employed in forming any of the networks. In particular, there is no disclosure or suggestion that the network should be established by including new members based on a set of indications of the last new members added to the group, as in Applicant's method (cf. sub clauses (b), (d)(i) and (d)(ii) of new claim 32). Thus, the presently claimed method of group formation is not disclosed or suggested in Dansco, nor in the combination of Dansco and Saito. A person of ordinary skill in the art would not be

taught, suggested or motivated to arrive at the claimed invention by the combination of Saito and Dansco. Consequently, the Examiner's citation of Saito and Dansco does not make out a *prima facie* case of either anticipation or obviousness, and reconsideration and withdrawal of this rejection as applicable to the amended claims are respectfully requested for this reason

Claim 12 stands finally rejected under 35 U.S.C. 103(a) as being unpatentable over Saito, in view of U.S. Patent Publication 2002/0141560 AI ("Khayatan"). This rejection is also respectfully traversed, and reconsideration and withdrawal of the rejection are respectfully requested as applicable to the amended claims.

Khayatan discloses a method in which a Group Initiator invites potential members to join the group, which appears to be an authoritative invitation and selection of members by the Group Initiator. The Group Initiator has the sole authority to do so. (cf. Paragraph 0042). In contrast, in the Applicant's method, including new members is based on set of indications of each participating person. The set of indications is a list of other participating persons that a participating person wishes to meet. (cf. sub clauses (a) and (b) of claim 32). New members are added by including the participating persons indicated in the set of indications of the last new member added to the group. Therefore, every last new member contributes to the formation of the group. (cf. sub clauses (d)(i) and (d)(ii) of claim 32). Therefore, it is apparent that no single person has an authority to include other members in the group. The above claimed method of group formation is not disclosed in Khayatan. Moreover, a person skilled in the art will not be motivated or encouraged to arrive at the claimed invention from Khayatan. In fact, it is apparent that the teachings of Khayatan are quite contrary to the method as now claimed in the new claims. In addition, the combination of Saito and Khayatan adds nothing to what either

reference would disclose or suggest to one of ordinary skill in the art; and the combination of Saito and Mortensen does not make out a *prima facie* case of obviousness of claim 12. Reconsideration and withdrawal of this rejection entered under 35 U.S.C. 103(a) as applicable to the amended claims are respectfully requested.

Prompt reconsideration and an early notice of allowance are earnestly solicited.